

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, DECEMBER 4, 2003
8:15 A.M.**

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Larry Hudkins
Bob Workman
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:15 a.m.

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
NOVEMBER 20, 2003**

MOTION: Stevens moved and Hudkins seconded approval of the Staff Meeting minutes of November 20, 2003. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Mid-Year Budget Review Letter
- B. Chief Deputy Salaries
- C. Payment of Nebraska Bar Association Dues for Judges
- D. Resolution Passed by the Burt County Board of Supervisors in Response to Proposed Revamp of Nebraska's Mental Health Care System

MOTION: Hudkins moved and Stevens seconded approval of the additions to the agenda. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

3 COMMISSIONER MEETING REPORTS

A. Public Building Commission (Special Meeting) - Hudkins, Workman

Workman said change orders for the new parking garage were approved.

B. Monthly Meeting of Public Building Commission Chair, Vice Chair and Mayor - Hudkins

Hudkins said discussion focused on expansion of the Lincoln/Lancaster County Health Department Building at 3140 N Street.

C. Nebraska Association of County Officials (NACO) - Workman

Workman said the Executive Committee discussed how to improve the district and annual meetings.

D. Families First & Foremost (F³) Conveners - Schorr

Schorr said the Integrated Care Coordination Unit (ICCU) contract, Youth Assessment Center (YAC), family support groups and plans for the sixth year of the federal grant were discussed.

E. Youth Assessment Center (YAC) - Heier, Stevens

See Item 10.

F. Visitors Promotion Advisory Committee (VPAC) - Schorr

Schorr said appointments to the committee were discussed.

G. Lincoln Independent Business Association (LIBA) Monthly Meeting - Heier, Workman

Heier said the Acreage Study and Planning Commission were discussed.

H. Downtown Lincoln Association (DLA) Board - Stevens

Stevens said there was a presentation on Antelope Valley development.

- I. Community Mental Health Center (CMHC) Advisory Committee - Stevens

Stevens said the potential acquisition of a building to house the Adams Street Center and the Peer Mentoring Program were discussed.

- J. Region V Governing Board - Heier

Heier said discussion focused on LB 724 (adopt the Nebraska Behavioral Health Reform Act and change release provisions for committed persons).

- K. Lincoln/Lancaster County Ecological Advisory Committee - Heier

Heier said there was a presentation on the Salt Creek Tiger Beetle.

- L. Lincoln Partnership for Economic Development (LPED) Investors - Heier

Heier said the financial report was discussed.

- M. General Assistance (GA) Monitoring Committee - Stevens, Schorr

Stevens said pharmaceutical costs were discussed.

Eagan said there were also reports on GA dental services and appeals regarding long-term residents in drug treatment facilities from other counties.

- N. Comprehensive Juvenile Justice Plan Meeting, Team 5 - Heier

No report.

ADDITIONS TO THE AGENDA

- A. Mid-Year Budget Review Letter

Dave Kroeker, Budget and Fiscal Officer, submitted a draft letter for the Board's review (Exhibit A).

MOTION: Hudkins moved and Stevens authorized the letter to be sent to all county departments. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

B. Chief Deputy Salaries

Kerry Eagan, Chief Administrative Officer, will send a letter to the elected officials asking for recommendations regarding their chief deputies' salaries.

C. Payment of Nebraska Bar Association Dues for Judges

Eagan distributed copies of a letter from the Presiding Judge of the County Court and the Presiding Judge of the Juvenile Court requesting payment of Nebraska Bar Association dues for the County and Juvenile Court Judges (Exhibit B). It was noted that the County has paid Nebraska Bar Association dues for the District Court Judges in the past and that the expense was included in the District Court budget.

MOTION: Hudkins moved and Workman seconded to: 1) Send a letter of response to the Presiding Judge of the County Court and the Presiding Judge of the Juvenile Court indicating that the County Attorney has issued an opinion that the County does not have a legal obligation to pay Nebraska Bar Association dues, that the County is under tight budget constraints and that the County Board does not intend to extend this coverage; and 2) Send a letter to the District Court Judges acknowledging that the item was inadvertently left in the budget and respectfully request that they pay their own dues to be in uniformity with the County Court and Juvenile Court Judges.

The Board asked Eagan to check whether a claim has already been submitted by the District Court and if so, to indicate that the County will no longer extend this coverage.

ON CALL: Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

D. Resolution Passed by the Burt County Board of Supervisors in Response to Proposed Revamp of Nebraska's Mental Health Care System

The Board reviewed a request from Burt County to pass a similar resolution (Exhibit C). No action was taken.

- 4 LANCASTER COUNTY AGRICULTURAL SOCIETY BUDGET UPDATE; SIGN POLICY** - Dave Kroeker, Budget and Fiscal Officer; Charles Willnerd, Lancaster County Agricultural Society President; Wayne Venter, Lancaster Event Center Manager

Lancaster County Agricultural Society Budget Update

General discussion took place regarding the Lancaster County Agricultural Society's budget (see agenda packet).

Stevens pointed out that the Ag Society will show a substantial loss for the year, taking depreciation into account.

Charles Willnerd, Lancaster County Agricultural Society President, said that is correct but said the real payoff comes in terms of economic impact to the community.

Wayne Venter, Lancaster Event Center Manager, said it is difficult to measure that impact as information on room nights attributable to events at the Event Center has not been made available.

Stevens said the balance sheet (see agenda packet) shows current liabilities exceed current assets by \$110,000, which indicates a cash flow problem. He said he also has questions regarding deferred revenue.

The Chair suggested that it would be beneficial to have the Ag Society's bookkeeper or auditor present if there is to be detailed discussion of the budget.

Sign Policy

Board members expressed disappointment that the Lancaster Event Center's electronic message board is being used primarily for offsite advertising. Concerns were also expressed regarding alcohol related advertising on the sign.

Venter said scheduled events are advertised a couple of days prior to the event. Events wanting extended advertising are assessed a fee (\$50 per day or \$500 per month). He said several businesses have purchased permanent electronic advertising and said this advertising will help to pay for the sign and will generate revenue.

Hudkins said he had lobbied for funding for the sign and said he felt deceived about its intended use.

Willnerd said the electronic message board was intended to provide both commercial advertising and advertising of events. He said he understands the Board's concerns but said "at the same time we're dealing in the commercial world".

Venter said he timed the electronic messages and more than half advertised events. He added that it would be difficult to sell the permanent advertising panels without the electronic component.

MOTION: Workman moved and Hudkins seconded to send a letter to the Lancaster County Agricultural Society Board indicating the County Board's preference that there be no offsite advertising on the sign's electronic message board. Hudkins, Schorr, Heier and Workman voted aye. Stevens voted no. Motion carried.

5 EXECUTIVE SESSION (PURCHASE OF REAL ESTATE); NEW CARPETING FOR COMMUNITY MENTAL HEALTH CENTER (CMHC) - Don Killeen, County Property Manager; Dean Settle, Community Mental Health Center Director

MOTION: Hudkins moved and Schorr seconded to enter Executive Session at 9:07 a.m. to discuss the purchase of real estate. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

MOTION: Hudkins moved and Stevens seconded to exit Executive Session at 9:40 a.m. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

Don Killeen, County Property Manager, reported a bid of \$24,380 from Floors Inc. to replace carpeting in the Community Mental Health Center, 2200 St. Mary's Avenue. He said \$4,000 was set aside in the capital budget for this expense and suggested that additional funds be reallocated from other areas of the capital budget to address this need.

MOTION: Hudkins moved and Schorr seconded to authorize a reallocation of funds within the capital budget to pay for the carpet replacement. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

6 SUPPLEMENTAL INSURANCE WITH AMERICAN FAMILY LIFE ASSURANCE COMPANY OF COLUMBUS (AFLAC) - Don Taute, Personnel Director; Bill Kostner, City Risk Manager; Daryl Bell, Milliman USA

Daryl Bell, Milliman USA, presented additional information on supplemental insurance benefits requested by the Board (Exhibit D).

Don Taute, Personnel Director, said the City plans to offer its employees supplemental insurance through AFLAC, effective March 1, 2004.

MOTION: Schorr moved and Hudkins seconded to offer supplemental insurance through American Family Life Assurance Company of Columbus (AFLAC) to county employees, with a target date of March 1, 2004.

Workman asked that it be stipulated that there are to be no high pressure sales.

ON CALL: Workman, Heier, Schorr, Stevens and Hudkins voted aye. Motion carried.

7 INTRODUCTION OF COMMUNITY CORRECTIONS STAFF - Kim Etherton, Community Corrections Director; Holly Newton, Brenda Reining, Kevin Monismith and David McCune

Kim Etherton, Community Corrections Director, introduced the Community Corrections staff. She also distributed the following (Exhibit E): 1) Community Corrections Mission Statement; 2) Court Reminder Program Procedures; 3) Procedural Flow Chart for Community Service - Department of Community Corrections; 4) Community Service Procedures; 5) List of Client Rights and Responsibilities; 6) Related forms and documents.

In response to a question from Eagan, Etherton said she is still evaluating the Indigent Screener Program.

8 JUVENILE COURT CONTRACTOR - Dennis Keefe, Public Defender

Dennis Keefe, Public Defender, said the Lancaster County Indigent Defense Advisory Committee has reviewed proposals for the two new juvenile court contracts that were approved in the Fiscal Year 2004 Budget and submitted the following recommendations: 1) Enter into a contract with the law firm of Polsky, Schiffermiller and Coe; and 2) Delay consideration of the other contract.

MOTION: Stevens moved and Hudkins seconded to accept the recommendations of the Lancaster County Indigent Defense Advisory Committee and direct the County Attorney's Office to prepare a contract with the law firm of Polsky, Schiffermiller and Coe. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

9 FENCING AND CATTLE GRAZING IN COUNTY RIGHT-OF-WAY - Mike Thew, Chief Deputy County Attorney; Larry Worrell, County Surveyor

Mike Thew, Chief Deputy County Attorney, addressed the issue of liability exposure for the County if fencing and livestock are allowed in the public right-of-way.

Hudkins referred to a 1991 County Attorney's Opinion (see November 20, 2003 Staff Meeting minutes) and said the County Engineer's Office has the authority to enforce removal when it is found to impede the safety of travelers.

Thew suggested that the County Engineer contact the offending landowners and seek voluntary compliance.

The Board directed the County Engineer's Office to proceed on a case-by-case basis.

10 YOUTH ASSESSMENT CENTER (YAC) RENOVATION AND STAFFING - Kit Boesch, Human Services Administrator

Youth Assessment Center (YAC) Renovation

Kit Boesch, Human Services Administrator, reported on the status of an interlocal agreement with the City (City will provide \$50,000 for the Youth Assessment Center) noting the interlocal agreement is predicated on the Youth Assessment Center (YAC) becoming a 24 hour facility (Exhibit F).

The Board indicated its intent to make YAC a 24 hour facility.

Boesch said in order for YAC to become a 24 hour facility by January 1, 2004 the Board will need to: 1) Hire/contract one additional staff person for YAC by January 1, 2004 (\$40,000 to \$45,000 for salary and benefits); and 2) Renovate and furnish existing space to make it appropriate for temporary hold of youth (estimated cost is \$6,500).

Dennis Banks, Lancaster County Juvenile Detention Center Director, appeared and said the cost of staffing will be dependent upon the direction the Board takes in terms of management of the facility, noting YAC and the Juvenile Detention Center currently share staff.

Juvenile Court Judge Tom Dawson appeared and said he believes it is appropriate for YAC to be a 24 hour facility.

Gus Hitz, YAC Director, also appeared in support of the proposal.

MOTION: Hudkins moved and Workman seconded to: 1) Direct Kit Boesch, Human Services Administrator; Gus Hitz, Youth Assessment Center (YAC) Director; and Dennis Banks, Lancaster County Juvenile Detention Center Director, to make the Youth Assessment Center (YAC) a 24 hour/7 day a week operation, with a target date of January 1, 2004; 2) Notify the City of this direction; 3) Proceed with the renovations, as outlined, with funding through the Contingency Fund. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

Staffing

Boesch reported the following recommendations from the Juvenile Justice Review Committee (JJRC) (see Exhibit F): 1) Contract the YAC management and assessment pieces out to competent non-profit agencies; or 2) Have YAC remain a stand alone county agency/department. She urged the Board to make a decision as soon as possible. Boesch said if the Board elects to contract out for services it is her recommendation that it be delayed until July 1, 2004 and that YAC remain under the supervision of the Human Services Office until that time to allow for a smooth transition. She said if the Board decides to make YAC a stand alone county agency/department , it is her recommendation that it take immediate effect.

Hudkins asked what would be the advantage to contracting out for services.

Boesch said the County's costs will be less. She noted that Cedars Youth Services has expressed interest in providing this service and said it already has provisions for supervision and links to the juvenile justice system in place.

Stevens asked whether other agencies would be interested.

Boesch said the contract could be put out for bid, but said few would have Cedar's capacity and experience. She pointed out that the County currently has a contract with the Child Guidance Center for mental health evaluation services and recommended that the County retain this contract regardless of the decision on management.

Schorr expressed concern about loss of input and control.

The Board scheduled further discussion on the December 18, 2003 Staff Meeting agenda and asked that a cost comparison be made available by that date. Information was also requested with regards to cross-over of services.

Also present were: Ann Hobbs, Juvenile Justice Coordinator; Michelle Schindler, Lancaster County Juvenile Detention Center Deputy Director; Henry Moss, Lancaster County Juvenile Detention Center; Lori Griggs, Juvenile Probation Administrator; Renee' Dozier, Families First & Foremost (F³) Associate Director; Terry Wagner, Lancaster County Sheriff; Jim Blue, Cedars Youth Services Executive Director; Petra Smith, Cedars Youth Services; Carol Crumpacker, Child Guidance Center Director; and Nancy Mize, Pat Sailors and Michelle Grummert, Child Guidance Center.

11 ACTION ITEMS

- A. Microcomputer Request, C#2003-429, \$1,986.31 from County Extension Budget for a Dell Inspiron 5100 Laptop Computer

MOTION: Workman moved and Hudkins seconded approval. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

B. Request from Archer Daniels Midland (ADM) for Community Development Block Grant (CDBG) Reimbursement

MOTION: Workman moved and Stevens seconded approval. Workman, Heier, Schorr, Stevens and Hudkins voted aye. Motion carried.

C. Authorization Letter to Represent Lancaster County in Recovery of Inheritance Taxes (Exhibit G)

MOTION: Stevens moved and Schorr seconded to authorize the Chair to sign the letter. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

D. Authorize Full-Time Hours Through March, 2004 for General Assistance (GA) Billing Clerk at Lincoln/Lancaster County Health Department

MOTION: Stevens moved and Hudkins seconded to authorize the full-time hours for the General Assistance Billing Clerk through March, 2004 and to supplement the Lincoln/Lancaster County Health Department budget, if necessary. Workman, Heier, Schorr, Stevens and Hudkins voted aye. Motion carried.

E. Increase in County Attorney's Microcomputer Fund Request to Include an Additional \$2,400 for 24 Copies of Word Perfect (Total Request \$22,733)

MOTION: Workman moved and Hudkins seconded approval. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

F. Hiring Requests:

1. Court Services Clerk for Clerk of District Court (Position Shared with Election Commissioner)
2. Equipment Operator I for County Engineer

MOTION: Workman moved and Stevens seconded approval. Workman, Heier, Schorr, Stevens and Hudkins voted aye. Motion carried.

G. Letter of Support for Lincoln/Lancaster County Convention and Visitors Bureau (CVB) Bid on Airport Council International - North America 2005 or 2006 Marketing and Communications Conference

MOTION: Stevens moved and Schorr seconded approval. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

12 ADMINISTRATIVE OFFICER REPORT

A. Junk Car Ordinance

Eagan distributed a brochure from the Lancaster County Sheriff's Office which addresses enforcement of Lincoln's Junked Vehicle Ordinance within the City's three mile zoning jurisdiction (Exhibit H).

Brief discussion took place on how to address junked vehicles outside the City's three mile zoning jurisdiction.

B. Cost of Rural Services Study

The Board briefly discussed concerns relating to the Cost of Rural Services Study.

MOTION: Hudkins moved and Workman seconded to authorize the Chair and Kerry Eagan, Chief Administrative Officer, to prepare a letter to the Planning Department, for review at the December 11, 2003 Staff Meeting, expressing the County Board's concerns regarding the Cost of Rural Services Study. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

C. Jail Interlocal Agreement with City

Stevens said he discussed the jail interlocal agreement with Mike Thurber, Corrections Director, and Mike Thew, Chief Deputy County Attorney, and said an intake/release fee and a one day minimum per diem were suggested as ways to recover costs. He said he still plans to meet with Tom Casady, Chief of Police.

D. High Speed Internet Access

MOTION: Workman moved and Hudkins seconded to send a letter to Alltel Communications encouraging the company to provide DSL (dial-up high speed internet service) service throughout Lancaster County, noting there is a competitive system available. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

E. Lancaster County Extension Board Appointments (Clarice Steffens, Jay H. Wilkinson, Carna Pfeil)

The Board scheduled the item on the December 9, 2003 Board of Commissioner Meeting agenda.

F. No Parking on North 98th Street at Murdock Trail Crossing

Board consensus was to hold the item for one week and to ask the County Engineer to look at providing a small parking area off the road (parking would be restricted to daylight hours).

G. Families First & Foremost (F³) Lease with Cedars

The Board scheduled the item on the December 9, 2003 Board of Commissioner Meeting agenda.

H. Appointments to the Visitors Promotion Advisory Committee (VPAC)

Schorr recommended appointment of Jenny Higgins, General Manager of the Fairfield Inn by Marriott and Comfort Suites, as she would represent limited service hotels and Glyn Lacy, co-owner of Skeeter Barnes Restaurant as he represents a non-downtown business and because of his interest in promoting Nebraska beef.

MOTION: Workman moved and Hudkins seconded to schedule the nominations on the December 9, 2003 Board of Commissioner Meeting agenda. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

I. County Work Schedule on December 26, 2003

Eagan said a number of counties have indicated plans to close offices on December 26, 2003 (Exhibit I) and estimated it would cost Lancaster County \$60,000 (overtime costs for 24 hour operations) to close. He said it is not a negotiated holiday.

The Chair and Vice Chair will discuss whether the City plans to close with the Mayor and will report back.

J. Property Tax Administrator's Annual Course of Training (January 13-14, 2004)

There was no indication of plans to attend.

K. Recommendation from the Lincoln-Lancaster County Ecological Advisory Committee Regarding Planning Commission Appointments

Eagan questioned whether the recommendation from the Lincoln-Lancaster County Ecological Advisory Committee (see agenda packet) exceeds the scope of their mission.

Heier said he informed the committee that Cecil Steward was only willing to complete two years of the six year term and that was why he had opposed his appointment.

Stevens noted that Steward has resigned from the Planning Commission and that his name is no longer under consideration for appointment to that body.

L. Management Team Meeting (December 11, 2003)

Eagan said there will be a presentation by the pension service representative from Nationwide Retirement Solutions and a roundtable discussion.

13 EMERGENCY ITEMS AND OTHER BUSINESS

The Board changed the date of the Mid-Year Budget Retreat to January 21, 2004.

14 ADJOURNMENT

MOTION: Stevens moved and Schorr seconded to adjourn the meeting at 1 p.m. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk